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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/735,957	12/15/2003	Toshitada Sakai	H-5117	3406	
759	90 03/30/2006		EXAMINER		
Paul A. Fattibene			GOFF II, JOHN L		
Fattibene and Fa	attibene				
2480 Post Road			ART UNIT	PAPER NUMBER	
Southport, CT	06490		1733		

DATE MAILED: 03/30/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)				
Advisory Action	10/735,957	SAKAI, TOSHITADA	4			
Before the Filing of an Appeal Brief	Examiner	Art Unit				
	John L. Goff	1733				
The MAN INO DATE of this are a single-						
The MAILING DATE of this communication appe		•	ress			
THE REPLY FILED 20 March 2006 FAILS TO PLACE THIS AF						
. The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of						
	this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which					
places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the						
following time periods:						
a) \square The period for reply expires 3 months from the mailing date of the final rejection.						
b) The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no						
event, however, will the statutory period for reply expire later the	-	•		W/O		
Examiner Note: If box 1 is checked, check either box (a) or (b). MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f		RSI REPLI WAS FILE	7 WITHIN 1	WO		
Extensions of time may be obtained under 37 CFR 1.136(a). The date on	which the petition under 37 CFR 1.136(a					
peen filed is the date for purposes of determining the period of extension a CFR 1.17(a) is calculated from: (1) the expiration date of the shortened sta	and the corresponding amount of the fee.	The appropriate extension	n fee under	37 in /h)		
above, if checked. Any reply received by the Office later than three month	s after the mailing date of the final rejection	on, even if timely filed, ma	v reduce anv	iii (D) /		
earned patent term adjustment. See 37 CFR 1.704(b).	,		,			
NOTICE OF APPEAL						
 The Notice of Appeal was filed on A brief in composition of filing the Notice of Appeal (37 CFR 41.37(a)), or any experience. 						
Since a Notice of Appeal has been filed, any reply must be				aı.		
AMENDMENTS	so med warm are ame period set to	7.07 OF (**1.07)	ω <i>j.</i>			
3. X The proposed amendment(s) filed after a final rejection,	but prior to the date of filing a brie	f, will not be entered	pecause			
(a) They raise new issues that would require further co						
(b) They raise the issue of new matter (see NOTE below	ow);	·				
(c) They are not deemed to place the application in be	tter form for appeal by materially re	educing or simplifying	the issues	for		
appeal; and/or	announceding property of finally, an					
(d) ☐ They present additional claims without canceling a NOTE: <u>See Continuation Sheet</u> . (See 37 CFR 1.1	•	ejected claims.				
4. The amendments are not in compliance with 37 CFR 1.1		ompliant Amendment	(PTOL-32	4)		
5. Applicant's reply has overcome the following rejection(s		omphant Amendment	(1 101-02	→ <i>)</i> .		
6. ☐ Newly proposed or amended claim(s) would be a		, timely filed amendm	ent cancel	ina		
the non-allowable claim(s).	·	•				
7. \boxtimes For purposes of appeal, the proposed amendment(s): a)	will not be entered, or b) w	ill be entered and an	explanatio	n of		
how the new or amended claims would be rejected is provided below or appended.						
The status of the claim(s) is (or will be) as follows: Claim(s) allowed:						
Claim(s) objected to:						
Claim(s) rejected: <u>1-3</u> .						
Claim(s) withdrawn from consideration: 4.						
AFFIDAVIT OR OTHER EVIDENCE	and the first constraint of the second of th					
 The affidavit or other evidence filed after a final action, b because applicant failed to provide a showing of good ar 						
and was not earlier presented. See 37 CFR 1.116(e).	d sufficient reasons why the anida	vit of other evidence	is riecessai	У		
9. The affidavit or other evidence filed after the date of filing	a Notice of Appeal, but prior to th	e date of filing a brief	, will <u>not</u> be	Э		
entered because the affidavit or other evidence failed to	overcome <u>all</u> rejections under appe	al and/or appellant fa	ils to provi			
showing a good and sufficient reasons why it is necessar						
10. ☐ The affidavit or other evidence is entered. An explanation REQUEST FOR RECONSIDERATION/OTHER	on of the status of the claims after o	entry is below or attac	ched.			
11. The request for reconsideration has been considered by	it does NOT place the application i	in condition for allows	nco hecau	eo.		
	it does NOT place the application i	in condition for allowe	iiice becau	3¢.		
12. Note the attached Information Disclosure Statement(s).	(PTO/SB/08 or PTO-1449) Paper	No(s)				
13. Other:						
•						

Application/Control Number: 10/735,957

Art Unit: 1733

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Continuation of 3. NOTE:

Claim 3 was amended to require limitations not previously considered, e.g. a conveying apparatus, ascending/descending member, etc., which would require further search and/or consideration.

John L. Goff

JEFF H. AFTERGUT PRIMARY EXAMINEF GROUP 1300